

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Section 73.202(b),)	MB Docket No. 02-119
Table of Allotments,)	RM-10435
FM Broadcast Stations.)	
(Clarksdale and Friars Point, Mississippi))	

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: October 9, 2002

Released: October 18, 2002

By the Assistant Chief, Audio Division:

1. The Audio Division has before it the *Notice of Proposed Rule Making* ("Notice")¹, issued in response to a petition for rule making filed by CSN International ("Petitioner"), licensee of Station WWUN-FM, Channel 268A, Clarksdale, Mississippi. Petitioner seeks to change the community of license of Station WWUN-FM from Clarksdale to Friars Point, Mississippi, and to upgrade Channel 268A, Station WWUN-FM, to Channel 268C3. Petitioner filed comments reaffirming its proposal and reiterating its intent to implement its proposal if it is granted. No other party filed comments or any other pleading in this proceeding. For the reasons stated below, we grant Petitioner's request to upgrade its channel and change its community of license to Friars Point.

2. Petitioner filed its proposal pursuant to the provisions of Section 1.420(i) of the Commission's Rules, which permits the modification of a station's authorization to specify a new community of license without affording other interested parties an opportunity to file competing expressions of interest.²

3. We believe that the public interest would be served by upgrading Channel 268A, Station WWUN-FM, to Channel 268C3 and reallocating Channel 268C3 from Clarksdale to Friars Point, because Station WWUN-FM would increase its service area by 37,390 people over an area of 2,292 square kilometers and Friars Point would receive its second local aural transmission service. The reallocation of Channel 268C3 to Friars Point would not deprive Clarksdale of its sole local aural transmission outlet, because Clarksdale would continue to be served by four local aural transmission services. Therefore, in accordance with the provisions of Section 1.420(i) of the Commission's Rules, we will modify the license of Station WWUN-FM to specify operation on Channel 268C3 at Friars Point, Mississippi.

4. Channel 268C3 can be allotted to Friars Point, Mississippi, in conformity with the technical requirements of the Commission's Rules, utilizing Petitioner's requested site at the coordinates of 34-25-30 North Latitude and 90-35-39 West Longitude, with a site restriction 7.8 kilometers (4.8 miles) northeast of Friars Point.

¹ *Clarksdale and Friars Point, Mississippi*, 17 FCC Rcd 9568 (2002).

² See *Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 4870 (1989), *recon. granted in part*, 5 FCC Rcd 7094 (1990).

5. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective December 2, 2002, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED for the community listed below, as follows:

<u>Community</u>	<u>Channel Number</u>
Clarksdale, Mississippi	221A, 243A, 293C2
Friars Point, Mississippi	254A, 268C3

6. IT IS FURTHER ORDERED, pursuant to Section 316(a) of the Communications Act of 1934, as amended, that the license of CSN International, for Station WWUN-FM, Clarksdale, Mississippi, IS MODIFIED to specify operation on Channel 268C3 at Friars Point, Mississippi, subject to the following conditions:

(a) Within 90 days of the effective date of this Order, the licensee shall submit to the Commission a minor change application for a construction permit (Form 301), specifying the new facility.

(b) Upon grant of the construction permit, program tests may be conducted in accordance with Section 73.1620 of the Commission's Rules.

(c) Nothing contained herein shall be construed to authorize a change in transmitter location or to avoid the necessity of filing an environmental assessment pursuant to Section 1.1307 of the Commission's Rules.

7. Pursuant to Commission Rule Section 1.1104(l)(k) and (3)(m), any party seeking a change of community of license of an FM or television allotment or an upgrade of an existing FM allotment, if the request is granted, must submit a rule making fee when filing its application to implement the change in community of license and/or upgrade. As a result of this proceeding, CSN International, licensee of Station WWUN-FM, is required to submit a rule making fee in addition to the fee required for the application to effect the change in community of license.

8. IT IS FURTHER ORDERED That this proceeding IS TERMINATED.

9. For further information concerning the above, contact R. Barthen Gorman, Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief, Audio Division
Media Bureau